

**State Special Education Advisory Panel**  
Under the Individuals with Disabilities Education Act (Amendments of 2004)  
CFR 300.168-169



**A Primer for State  
Special Education Advisory Panel  
Members and SEA Staff**

Developed by Mountain Plains Regional Resource Center  
An Office of Special Education Programs funded project  
United States Department of Education  
2007



This document was developed by the Mountain Plains Regional Resource Center, an affiliate of the Center for Persons with Disabilities, a University Affiliated Program at Utah State University.

The Mountain Plains Regional Resource Center operates under Grant No. H326R040006 with the Office of Special Education Programs (OSEP), U.S. Department of Education. Partial support is also provided by Utah State University. The content of this document does not necessarily reflect the position or policy of OSEP or USU and no official endorsement should be inferred.

This information could be made available in alternative format, including large print, Braille, audio, tapes, or computer diskette.

# State Special Education Advisory Panel A Primer

## Table of Contents

1.	Introduction -----	1
2.	Advisory Panel Functions -----	2
3.	Advisory Panel Membership -----	2
4.	Representing a Stakeholder Group -----	3
5.	Consensus Building -----	4
6.	Advisory Panel Procedures -----	5
7.	Diverse Representation -----	6
8.	Role of State Special Education Director -----	7
9.	Panel By-Laws and Operating Procedures -----	9
10.	Annual Planning Meeting -----	9
11.	Setting Priorities -----	10
12.	Advisory Panels as “Change Agents” -----	10
13.	Panel Meetings -----	11
14.	Public Comments—Ground Rules -----	13
15.	Panel Annual Report -----	14
16.	Advisory Panel Involvement with OSEP Programs -----	15
17.	History of OSEP Monitoring Process -----	17
18.	Summary of State Performance Plan Indicators: Part B -----	18

Developed by:  
John Copenhaver, Director  
Mountain Plains Regional Resource Center (MPRRC)  
1780 North Research Parkway, Suite 112  
North Logan, UT 84341  
Phone: (435) 752-0238 Fax: (435) 753-9750  
E-mail: cope@cc.usu.edu  
Web site: <http://www.usu.edu/mprrc/>



# Introduction

The purpose of this document is to provide functions and information for State special education advisory panel members regarding their responsibilities under IDEA 2004. This manual is intended to assist State special education advisory panel members and State SEA staff in the development and implementation of effective and efficient special education advisory panels. The purpose for this manual is not to give legal advice but to provide guidance and suggestions that should result in effective panel meetings.

The role of the State special education advisory panel in shaping services for children with disabilities is critical. In many States, the special education advisory panels have been used as the State stakeholder group for the Levels of Determination, Continuous Improvement and Focused Monitoring System (CIFMS), the Annual Performance Report, and the State Performance Plan. With the increasing challenge of providing quality education for all children with disabilities in the country and the requirements of IDEA, advisory panels are viewed as key stakeholders in efforts to improve educational opportunities for children with disabilities.

The result of the increased responsibility and expectations for the State special education advisory panel has left those who are responsible for panel organization and development faced with many challenges. First, there are very limited resources that provide comprehensive information regarding how States are to organize and develop effective advisory panels. Second, in light of the increased importance of the State panel's role in the process of advising and guiding State education agencies (SEA), State leaders are searching for successful models and practices.

This guide will help to provide information and describe experiences that have been successful for State panels.

## **This information is presented in several documents:**

1. State Advisory Panel: An Overview—*for panel members and SEA staff*
2. State Advisory Panel: Appendices—*for panel officers and SEA staff*
3. State Advisory Panel: Quick Reference—*for general public and member awareness*
4. People First Language
5. Special Education Acronyms and Definitions
6. The Role of the Panel in the SPP/APR
7. Ground Rules for Public Comment
8. Robert's Rules of Order—How to Conduct a Public Meeting

The materials outline the legal requirements for the State special education advisory panel and also include “best practices” that might improve the panel's effectiveness in fulfilling their responsibilities.

## **A**dvisory Panel Functions (CFR 300.169)

The following are the duties of special education advisory panels as listed in the IDEA Amendments of 2004:

- Advise the SEA of unmet needs within the State in the education of children with disabilities. (300.169(a))
- Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities. (300.169(b))
- Advise the SEA in developing evaluations and reporting on data to the Secretary under 618. (300.169(c))
- Advise the SEA in developing corrective action plans to address findings identified in federal monitoring reports. (300.169(d))
- Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities. (300.169(e))
- Review and comment on completed due process hearing findings. (300.169(c) and (d))

## **A**dvisory Panel Membership (CFR 300.168)

*General.* The membership of the State advisory panel must consist of members appointed by the Governor, or any other official authorized under State law to make these appointments, be representative of the State population, and be composed of individuals involved in or concerned with the education of children with disabilities, including the following:

- Parents of children with disabilities (*ages birth through 26*)
- Individuals with disabilities
- Teachers
- Representatives of institutions of higher education that prepare special education and related services personnel
- State and local education officials
- Administrators of programs for children with disabilities
- Representatives of other State agencies involved in the financing or deliver or related services to children with disabilities
- Representatives of private school and public charter schools
- At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities
- Representatives from the State juvenile and adult corrections agencies
- *A person responsible for services to children who are homeless*
- *Representative from State child welfare responsible for foster care*

**The responsibility of the panel members is to advise, not advocate, for an individual position. Advise means to inform, counsel, recommend, suggest, or**

guide. To advocate means to plead your case or position, to favor an individual case or argument. The advisory panel is to provide advice based on facts and good judgment.

***Special rule.*** A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities. (300.168(b))

*Best practice.* Some States involve a high school student with a disability to add a consumer perspective. The tenure would be on year.

*Alumni Group.* These are individuals who have once served on the panel. Some panels use these individuals to take the place of members who cannot attend a meeting or fill a term of a member who has resigned.

## Representing a Stakeholder Group

One of the most significant contributions that each panel member makes is that of representing a constituency. **The role of each panel member is advisory, not advocacy, in nature.** The federal regulations require that specific constituencies be represented by membership on State advisory panels. This requires that the panel consider methods that can facilitate on going communication between panel members and the public. The following “pointers” can be helpful when reaching out to a stakeholder group:

- Develop and disseminate a brochure on panel priorities to stakeholder groups. Conduct focus groups of critical stakeholders on panel issues.
- Create a link to the panel on the State agency website.
- Provide opportunities for public input at Special Education Advisory Panel meetings via teleconferences.
- Hold panel meetings in different locations in the State.
- Conduct a presentation or discussion at other public meetings, events, and conferences.
- Disseminate Special Education Advisory Panel brochures.
- Invite a friend of your stakeholder group to the panel meeting.

**NOTE:** Some State advisory panels use technology for public awareness. Some panels are exploring the effectiveness of using the State Web site for providing information regarding the panel activities.

## Contents of panel public awareness brochures

- Name of panel
- Panel's purpose and responsibilities
- Panel priorities
- Meeting dates and case locations
- Public comment procedures
- Listing of membership
- Key individual contacts: phone number, fax, mail, and e-mail addresses
- Highlighted activities or projects

## Presentation packets for use by panel members

- Include a presentation script for members to follow when addressing groups.
- Use transparencies or PowerPoint.
- Provide copies of brochures or panel information for distribution.
- Provide members with panel business cards.
- Include comment sheets that can be completed by participants. This provides an opportunity for public information to be returned to the panel.

# C

## onsensus Building

It is recommended that panels use **consensus decision-making rather than voting when the committee comes to agreement on decisions.** Consensus is a process for decision-making that involves all members, and **the final decision is one that all members can live with and publicly support.** Each State must experiment and design the process that works best for their panel.

Members of committees should focus on expressing and addressing each other's interest rather than their own position. This provides a more effective way of making decisions when issues are complex and reaching decisions is difficult. Voting often results in a win/lose proposition that may not provide members with the opportunity to find creative solutions to problems. Decisions arrived at through consensus will often be implemented faster and easier because all stakeholders have agreed to support the decisions or not block the decisions adopted by the group.

Consensus is not

- **A unanimous vote**
- **Everyone's first choice**
- **Everyone in agreement**

Consensus is

- **Creative problem-solving**
- **Compromise, publicly supported**
- **Win/Win**



Consensus presupposes that members can expect to disagree, have different interest, and work to educate their colleagues about their opinion rather than advocating positions.

Common characteristics of consensus decision-making include that all members

- Participate.
- Are responsible for the success.
- Keep themselves informed
- Are open to being educated by each other.
- Share a common understanding.
- Consider multiple options.
- Make decisions by modifying options.
- Live with and publicly support the final decision.

The traditional consensus process allows members to express their objections in a variety of ways, such as those listed below:

- Support the decision or support with reservations.
- Support with modifications.
- Blocking: “I cannot support this decision.”
- Withdrawing: “I cannot support this decision but will not block the group from reaching consensus.”

Many committees generally use modified consensus. **This means that if the committee is unable to reach on a given conclusion, the decision is deferred to the State staff to make the decision.** This provides incentive for participants to work toward a win/win solution if there is controversy so that they retain the decision-making privilege.

In summary, consensus provides a fair and open problem-solving process that encourages groups to feel their voices are heard. The process prevents certain members from dominating and impacting the decision-making process.

## **A**dvisory Panel Procedures

The following are general procedures that special education advisory panels should use as they conduct their functions:

- The advisory panel shall serve without compensation, but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.
- Interpreters and other necessary services must be provided at panel meetings for panel members or participants. The State may pay for these services.

- All advisory panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.
- Official minutes must be kept on all panel meetings and must be made available to the public on request.
- **By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA.**

## Diverse Representation

Increasing the involvement of parents on the panels and task forces, particularly those from culturally and linguistically diverse backgrounds, is a frequent challenge for State staff. Many States make a good faith effort to assemble diverse committees that are representative of the State population and are struggling to attract a more diverse group of parents and service providers to public advisory committees.

There are many factors that may contribute to the challenge that States face when they try to increase diversity of committees or at the public forums including the following:

- In looking for stakeholders to serve on the committees, the tendency is to seek out directors, chairpersons, or others in leadership positions of various organizations. Because there tend to be fewer people of color in these leadership positions, the pool of possible candidates is automatically going to decrease.
- Language barriers can be a problem for people whose first language is not English. Promotional materials in English are unlikely to reach them. Even if they do become aware of the activity, they may be less inclined to attend a public meeting, especially if the goal is to have participants voice their opinions.
- The location and time of the activity can be factors in suppressing turnout and participation of a diverse group of parents. Transportation and childcare are also issues to take into account.

## Suggestions for Increasing Panel Diversity

- **Committed leadership:** Success depends upon the leadership within State departments of education. Leadership must commit resources, namely personnel time, toward increasing diversity. It is essential for leaders to hold conversations with staff before they begin planning their committee activities. Having diversity on the State panel and at public forums must be a goal from the outset. States also need to try recruiting a diverse staff and provide ongoing professional development to increase awareness of diversity issues.
- **Go to the people first:** Personally contacting individuals and meeting with them face to face is the most effective way to increase participation, and this is possible in recruiting committee members. Convey that your interest in diverse representations is real and for the long term and not just to fill a quota for this activity. Taking these steps will begin to build the networks and relationships between the department and diverse individuals and groups.
- **Identify formal and informal leadership within diverse communities:** Community leaders can help identify people who might be candidates for the panel and encourage parents to attend the public forums. Meet and hold conversations with individuals and groups outside of education. Contact community-based organizations such as housing and economic development or human service agencies, neighborhood groups, professional and social associations such as a Latino business group or African American service club, and churches.

## Role of State Special Education Director

Although the role of the State special education director in relation to the advisory panel will vary from State to State, generally most directors have the following roles:

- Provides leadership and attend meetings.
- Provides relevant and current information to panel members.
- Serves in an Ad hoc capacity—nonvoting member.
- Assists with the agenda development.
- Reports on topical issues.
- Reports progress on the State Performance Plan and Annual Performance Report.
- Reports on Level of Determination
- Provides a “State-of-the-State” report.
- Supports the panel in carrying on their functions.

# Panel By-Laws and Operating Procedures

One of the key documents used by members is the panel by-laws or operating procedures. This document may be referred to as the by-laws, procedural manual, operating guidelines, rules, or panel regulations. Every panel member should have a good understanding of the operating by-laws.

**The panel should revisit the by-laws annually to determine if revisions need to be made.** The by-laws reflect the existing State and federal regulations pertaining to the establishment and responsibilities of the State advisory panel. They include information describing how the panel will conduct business and the formal structure of the organization. Additionally, it often serves as part of a comprehensive resource to provide information to the public about the role and responsibilities of a State advisory panel. The issues listed below are suggested contents for the panel's by-laws.

## Suggested Content for By-laws

- Panel name
- Panel purpose
- Panel meeting procedures
- Federal regulations regarding panel membership functions and procedures
- State regulations regarding panel functions
- Flow chart indicating panel role in the State organizational structure
- Relationship between the panel and State special education director
- Methods for dissemination of information to the public and constituencies
- Process for an individual to be appointed to the panel
- Panel members—with the name of the stakeholders group they represent
- Membership tenure
- Travel compensation
- Quorum requirements
- Process for replacing panel member
- Process for resigning from the panel
- Provisions for persons with disabilities (e.g., interpreters)
- Panel leadership and officers—appointment procedures
- Establishment of executive committees
- Membership roles and responsibilities
- Establishing agenda for meetings
- Membership term of office and procedures for appointment to committee
- Method for receiving public comment
- Decision-making process (e.g., consensus, voting)
- Voting procedures
- Procedure for adding or canceling meetings
- Procedure for public meeting notice

# Annual Planning Meeting

One of the most useful activities for advisory panels is the annual orientation and planning meeting. Those panels that have annual planning meetings increase their capacity to be effective change agents. The two most important activities during the annual meeting are to orient new members and set the panel priorities for the year.

**Orientation meetings can be a positive and beneficial experience for new, as well as returning, members of the panel.** Most often, this meeting provides responsibilities of panel members and overviews of existing laws and regulations governing the panel. This event can also provide an opportunity to summarize and report panel activities and initiatives that have been the focus of the panel's past year. Conducting an orientation prior to, and in conjunction with, the annual planning meeting can provide a common level of knowledge for panel members.

## Considerations for the orientation session

- Welcome, introductions, and warm-up activity
- Discussion of participants' understanding regarding their roles on the advisory panel
- Brief historical background of panel's past role and accomplishments
- Review of the panel by-laws
- Review of Panel's last annual report
- Federal and State laws and regulations related to the panel
- Update on the current panel activities and involvement
- A discussion of what "advisory" means to panel members
- Explanation of meeting purpose and process (e.g., developing annual priorities)
- Assignment of panel member to serve as a mentor for the new member's first year on the panel
- Discussion of the State director's role in the panel
- Discussion and implementation of a consensus-building process

**NOTE:** Orientation sessions are most often reported to be conducted on the evening or half day prior to the annual meeting day. The length of the sessions varies, with most panels reporting an adequate time period of two hours. Holding the orientation the evening prior to the annual meeting may provide opportunity for new members to review the information received and be more adequately prepared to participate the following day. Many panels include all members at the orientation meeting.

# Setting Priorities

Establishing annual priorities is important for any group or organization. Panel members have identified that a shared purpose and function are critical factors in directing the decisions and actions of State special education advisory panels. While each State has its own unique challenges and political structure, there are methods of building unity and strength in panel membership that will assist an advisory panel in its efforts to provide guidance to the State Educational Agency in serving children with disabilities. Commitment and serious thought should be given in setting priorities for the year. **It is important for a panel not to take on too many projects. It is better to decide on three or four critical issues to address during the year. Guidance for Panel priorities might be driven by the data from the State Performance Plan and Annual Performance Report. The State's Level of Determination from OSEP should also help determine priorities.** To guide the priority-setting process, a good strategy is to enlist the services of an outside facilitator. Regional Resource Center staff can provide assistance or suggest qualified individuals in your area. The annual priority-setting process can ultimately provide a common ground between the panel membership and set the group in the direction of providing advice that will lead to positive results for children with disabilities.

Below are two considerations that may assist in the planning for this process.

- Conduct a summer meeting to provide orientation for new members. All panel members should attend to foster positive relationships and a team approach.
- At the same meeting, **decide on three to four priority issues** the panel should address during the year. The priority areas should be selected by using current special education data and State department input. Review current data from the State Performance Plan and Annual Performance Report.

## Advisory Panels as Change Agents

State advisory panels are being recognized for their critical roles in the oversight of State Performance Plan and the Annual Performance Report, serving as steering committee members during the federal monitoring improvement process, and advising for improved services for children with disabilities.

### Variables to Making Systems Change

- Develop a rapport and relationship with the group you are representing.
- Develop a positive working relationship with the State director.
- Approach your work as advisory, not advocacy.
- Keep knowledgeable regarding State and national education issues.
- Be familiar with the State's Level of Determination.

- Be familiar with your role in the CIFMS and Part B Annual Performance Report.
- Be familiar with data from the State Performance Plan.
- Request to testify to decision making bodies to provide advice.
- Communicate with and keep open communication among the State board of education members, legislators, State department of education personnel, OSEP staff, parents, and members of disability groups.
- Be aware of the advisory panel's position in the State education agency's organizational structure and the established process to promote panel directions within that structure.
- Establish a process that will keep the panel informed of "evidence-based practices" within the State.
- Allow time at meetings for members to share relevant information from their constituencies in the field.
- Use the Regional Resource Center to develop and coordinate interstate linkages among State advisory panels and to provide information on technical assistance activities.

## Panel Meetings

Some of the key factors impacting the success of panel meetings are leadership, attitudes, using data, planning, and development of agendas. The length of meetings should be dictated by the focus or purpose of the meeting. States have reported meeting duration as being in two half-day sessions, full-day meetings, and multi-day meetings. Most annual meetings are two days in length while meetings during the year are one day in duration. It is of primary importance that panel members view their participation and actions as impacting State special education initiatives and programs. Below are strategies to consider when planning panel meetings.

### Considerations for effective meetings

- Use the executive committee or an established ad hoc committee to identify relevant issues to be included as agenda items.
- Receive input from the State director and staff regarding agenda items.
- Provide members with a copy of the agenda and materials with adequate time to read before the meeting date.
- Schedule the meeting room in an area that allows for adequate group interaction.
- The meeting location should be accessible for individuals with disabilities.
- When possible, alternate meeting sites to facilitate traveling arrangements for individuals coming greater distances and allow for public access.
- Help facilitate travel plans for individuals coming long distances.
- A cover letter should identify the meeting purpose and main issues to be discussed.
- Send panel members an agenda prior to the meeting.

- Meeting location should have phone and restroom accessibility.
- Provide members with directions to meeting location and parking instructions when needed.
- Use Internet to expand public awareness of meeting dates and agenda.
- Publicly announce the panel meeting and agenda items in accordance with open meeting laws.
- Provide travel and child care compensation for panel members.

## Planning the Meeting Agenda

- Meeting purpose and outcomes should be clearly stated at the beginning of the meeting.
- Give time for follow-up from the previous meeting.
- Provide time for the State director and/or staff to give reports on current issues impacting the State.
- Allow time for a progress report on the Annual Performance Report and State Performance Plan.
- Set specified time for each topic and stay within established timeline.
- Indicate on the agenda the type of action to be taken on a given issue.
- Follow the established voting process (e.g., consensus building).
- Follow invited presentations with a short response period.
- Provide time on the agenda for public comment.
- Develop a format for a clear agenda, identify recorder/secretary, and appoint a person (taskmaster) to bring group back on task when needed to refocus the discussion on agenda items.
- Schedule adequate time for sub-committee or group work and reporting.
- Adhere to the agenda timelines.

## Meeting Day Preparations

- Prepare name plates to be used at the tables so that names are clearly visible providing for easy identification by attendees.
- Provide packets or folders for each member. Include a copy of the agenda and any new material not received in the pre-meeting packet.
- Provide needed audio-visual equipment.
- Provide time for member introductions.
- Provide light refreshments and a group lunch.

***Meeting Packets*** should include a copy of the meeting agenda and relevant documents, reports, or public comments that have been added since the mailing of initial meeting materials.

- At the beginning of each year, provide each member a tabbed three ring binder. Materials from each meeting can be three hole punched and inserted.



- Include expense forms — to be completed by members for reimbursement purposes.
- The panel purpose and outcomes should be referred to and be in written material for all panel members.

## **P**ublic Comments—Ground Rules

The following is a general list of guidelines when offering an opportunity for public input at council meetings.

- Provide notice to the public well in advance of the advisory panel meeting.
- Specify a consistent time on the agenda for public comment.
- Set aside around 30 minutes on the agenda for public comments.
- Limit public comment to no more than five minutes per individual.
- Public comment can be verbal or sent in written form to be read by the council chairperson.
- Alert individuals giving public comment to be factual and objective. Avoid using names of students or school staff. Maintain confidentiality and privacy standards.
- Mention to those providing comments that their input will be taken under advisement as the council address their priority issues.
- Don't interrupt the speaker during their five minutes. Ask questions or for clarification after they are finished.
- Provide a verbal or visual clue one minute before their time is up.
- Provide an opportunity for individuals who can't be physically present to call in on a cost-free teleconference line during the 30-minute public comment period.

### **Regional and town meetings**

- Publicize meeting purpose (e.g., public awareness, issue oriented).
- Conduct in conjunction with other public meetings.
- Establish a procedure for meeting format.
- Keep meetings brief.
- Emphasize that the information received from the field is to be taken to the full panel for consideration — do not attempt to solve issues; your job is to listen.
- Develop a method to respond to public issues (e.g., panel newsletter, written responses, contact individuals to report to a region or group, position papers).

# Panel Annual Report

One of the major responsibilities for State advisory panel is the development of the required annual report. Without planning, the annual report often becomes a hastily completed document that includes copies of meeting agendas, minutes, published State and federal reports, and miscellaneous “filler” documents. The annual report is to the panel what the IEP is to the student.

Annual reports can be meaningful and useful. The following are elements that can contribute to an attractive and useful document. The information provides a format for the development of an annual report and components found to be helpful in the process. While each State has its own unique needs and political requirements, those documents that are clearly organized and easily read most often become the most used.

## Suggested Elements for Panel Annual Reports

1. **Cover letter (brief):** Letter written by State superintendent, director, and/or panel chair providing content information to the public.
2. **Preface:** A brief statement of purpose, followed by a list of the names and related area/consistency representation of panel members and other relevant State officials.
3. **Table of Contents:** List of document sections and page numbers.
4. **List of Membership and Officers**
5. **Annual Priorities and Goals:** A list of key priority areas addressed by the panel.
6. **Key Activities and Accomplishments:** Brief statement of activities and actions taken by the panel to address annual priorities and goals. Information should reflect panel involvement and responsiveness to State issues and public concerns.
7. **Identified Areas of Concern:** Noted areas where the panel recognizes continued efforts are needed to improve education for children with disabilities in the State.
8. **Data used to establish Panel priorities**
9. **Panel Advice and Recommendations:** List of advice and recommendations to the State Board of Education and State Education Agency.
10. **Future Issues:** A list of identified issues that the panel might address in the future. Many of these issues may result from efforts to implement changes in State or Federal law and meet children’s needs in the State.

**NOTE:** In some States, the panel may be required to include the agenda and minutes for each meeting. These materials could also be included in the resource section.

# **A**dvisory Panel Involvement with OSEP Programs

Never before has there been such an emphasis and support for State advisory panels, promoting the potential role that they can play in shaping the direction of special education and services for children with disabilities. The federal law-makers have chosen to define in great detail the composition of the State advisory panel in order to ensure that there is representation from constituencies that are concerned with providing educational opportunities that would enable children with disabilities to experience success. The membership provides a good cross section of public opinion and views that have been recognized as beneficial to States. Below are suggestions for State advisory panel involvement in SEA/OSEP initiatives.

## **IDEA Implementation**

- Study the major changes to IDEA.
- Provide comments on proposed federal and State regulations.
- Provide advice to the SEA regarding IDEA implementation strategies.
- Consider IDEA implementation as a Panel priority area.
- Ask for updates from the State Director.

## **State Performance Plan**

- Understand the relationship between the APR and SPP.
- Provide guidance to the SEA in developing measurable and rigorous targets for indicators under each priority area.
- Request the State provide updates on the SPP at least annually to the Panel membership.
- Provide input to the SPP.
- Use the SPP data to help generate panel priorities.

## **Annual Performance Report**

- Suggest possible data sources to consider when the APR is updated and revised.
- Provide advice and guidance to the SEA regarding the content of the State APR.
- Request that the State director or SEA staff provide an update at each panel meeting regarding progress toward State projected targets.
- Suggest improvement strategies for areas of noncompliance.
- Use the APR data to help generate panel priorities.

## **Levels of Determination**

- Understand the four levels of determination.
- Be familiar with your State level and what it means.
- Suggest criteria for school district determination.
- Suggest improvement strategies to improve on level determinations.

## **Continuous Improvement and Focused Monitoring System**

- Understand the CIFMS process.
- Receive information about CIFMS from the directors.
- Provide advice for improvement strategies to correct noncompliance issues.

## **OSEP TA&D Resources**

- Become familiar with OSEP's Technical Assistance and Dissemination (TA&D) Network.
- Suggest information or a presentation from your RRC regarding OSEP's TA&D resources.
- Keep in mind TA&D resources as the panel conducts discussion on the State's APR and SPP.
- If appropriate, request a teleconference presentation from an OSEP Specialty Center during a Panel meeting.
- Be familiar with your State contact from OSEP.

# History of OSEP Monitoring Process

## *Compliance Monitoring—Past*

- Five-year Cycle
- Corrective Action Plans
- Compliance Oriented
- SEA/LEA Review
- Limited Stakeholder Involvement

## *Continuous Improvement Monitoring System*

- State Self-Assessment
- Improvement Planning
- Stakeholder Involvement

## *Continuous Improvement Focused Monitoring System—Present*

- CIFMS
- Verification—three levels
- Focused States
- High-risk States

## *State Performance Plan—Future*

- 20 Indicators—SEA/LEA
- Monitoring Priorities
  - FAPE/LRE
  - Disproportionality
  - General Supervision
- Annual Performance Report
- Levels of Determination

# Summary of State Performance Plan (SPP) Indicators: Part B

#	Topic	New Indicator*	Sampling Allowed?	Data from
1	Graduation	No	No	618 (Annual federal data report—SEIS)
2	Dropout rate	No	No	618
3	Statewide assessment: participation and performance	No	No	618
4	Suspension/expulsion data	No	No	618
5	LRE for students 6–21	No	No	618
6	Preschool LRE (children 3–5)	No	No	618
7	Preschool outcomes	Yes	Yes	TBD
8	Parent involvement	Yes	Yes	Survey—TBD
9	Disproportionality of race/ethnicity as a result of inappropriate identification	Yes	No	618
10	Disproportionality of race/ethnicity in disability categories	Yes	No	618
11	Evaluation complete in 60 days	Yes	Yes	Monitoring
12	C to B with IEP by third birthday	No	Yes	Monitoring
13	Transition planning by age 16	Yes	Yes	Monitoring
14	Postsecondary outcomes	Yes	Yes	Survey—TBD
15	Noncompliance corrected within one year	No	Yes	Monitoring
16	State complaints completed within 60 days	No	No	Part B Attachment 1
17	Due process completed within 45 days	No	No	Part B Attachment 1
18	Resolution sessions that result in agreement	Yes	No	Part B Attachment 1
19	Mediations resulting in agreement	No	No	Part B Attachment 1
20	618 data on time and accurate	No	No	618 and State-selected sources

\*For New Indicators, baseline data to be collected in 2005–2006. Baseline and targets due February 1, 2007, in FFY 05 APR (Annual Performance Report)

SEIS=Special Education Student Information System  
LRE=Least Restrictive Environment

TBD=To Be Determined  
IEP=Individualized Education Program